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November 22, 2005

VIA Hand Delivery

The Honorable Charles L. A. Terreni
Chief Clerk and Administrator
Jocelyn Boyd, Esquire
Deputy Clerk
The Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, South Carolina 29210

RE: **Docket No. 2005-210-E-** Application of Duke Energy Corporation ("Duke") for
Authorization to Enter into a Business Combination Transaction with Cinergy
Corporation.
MOTION for Clarification or Supplemental Order

Dear Mr. Terreni, and Ms. Boyd:

As you will recall, the Public Service Commission of South Carolina ("Commission")
voted on Tuesday, November 1, 2005 to approve Duke's Application filed in the above
referenced matter.

Questions have arisen concerning changes, ministerial, name or otherwise, as a result of
the merger between Duke Energy Corporation and Cinergy Corp. These include, but are not
limited to, Certificates of Environmental Compatibility and Public Convenience and Necessity,
signage, tariffs, designations on vehicles, contracts, customers' bills, and customer literature.

We believe that the approval of the Application referenced hereinabove under §58-27-
1300 of the South Carolina Code (1976, as amended), implicitly allows appropriate (i) changes,
ministerial, name or otherwise; (ii) assignments; (iii) amendments to comply and conform; (iv)
amendments and conformance necessary pursuant to Article 9, Uniform Commercial Code; (v)
assumptions; and (vi) delegations of duties, consistent with the merger approval. (This list is
meant to be illustrative and not all inclusive)

The Honorable Charles L. A. Terreni
Jocelyn Boyd, Esquire
November 22, 2005
Page 2

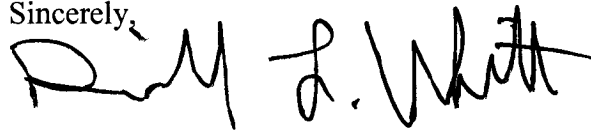
Accordingly, **please consider this correspondence as Duke's Motion** requesting clarification from this Commission, by way of a formal Commission decision at a weekly agenda session, wherein the Commission agrees with our understanding that the merger approval implicitly allows all necessary changes, ministerial, name or otherwise, resulting from the merger approval.

In the alternative, Duke requests that this correspondence to be treated as its Motion, for a Supplemental Order, explicitly allowing Duke to make necessary changes, as broadly as that term may be defined and as illustrated hereinabove, as a result of the merger between Duke Energy Corporation and Cinergy Corp, if the Commission finds that formal approval is required.

All parties of record, including Counsel for the South Carolina Office of Regulatory Staff are being served with copies of this Motion, as indicated by the enclosed Certificate of Service.

With kind regards, we are

Sincerely,

Handwritten signatures of William F. Austin and Richard L. Whitt. The signature of William F. Austin is on the left, and the signature of Richard L. Whitt is on the right.

William F. Austin
Richard L. Whitt

RLW/dss

Cc: See the attached Certificate of Service

Docket No. 2005-210-E- Application of Duke Energy Corporation ("Duke") for Authorization to Enter into a Business Combination Transaction with Cinergy Corporation.

MOTION for Clarification or Supplemental Order

CERTIFICATE OF SERVICE

I, Darla Stone, employee of Austin Lewis Rogers, P.A., hereby certify that I caused copies of Duke Power, a division of Duke Energy Corporation's Motion for Clarification or Supplemental Order to be mailed on this date, with sufficient postage attached to the individuals shown below, at the addresses shown below:

Florence Belser, Esquire
Lessie Hammonds, Esquire
Office of Regulatory Staff
1441 Main Street, Suite 300
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Scott Elliot, Esquire
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This the 22, day of November, 2005.

Austin Lewis and Rogers, P.A.

By: Darla S. Stone
Darla S. Stone